

UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 00-505-I)

PATENT

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In the Application of:

Progulske-Fox, et al.

Serial No.: **10/092,243**

Filed: **March 6, 2002**

For: **Identification of Microbial
Polynucleotides Expressed
During Infection of a Host**

Art Unit: 1653

Examiner: To be assigned

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure provided by 35 C.F.R. § 1.56 and §§ 1.97-98, the applicants wish to make the following references of record in the above-identified application. Copies of the references are enclosed. Copies are also listed in the PTO-1449 form enclosed herewith. A first Office Action on the merits has not yet been mailed. Additionally, each item of information cited in this statement was first cited in a communication from a foreign patent office in a related foreign application not more than three months prior to the filing of this information disclosure statement. It is requested that the documents be given careful consideration and that they be cited of record in the

prosecution history of the present application so that they will appear on the face of the patent issuing from the present application.

In the judgment of the undersigned, portions of the references may be material to the examination of the pending claims, however no such admission is intended. 37 C.F.R. 1.97 (h). The references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the references. This Statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. sections 102 or 103.

CITED REFERENCES

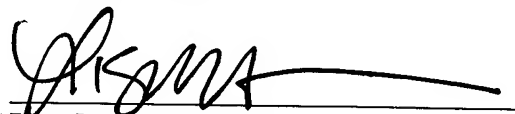
Other Documents

- 1) PCT International Search Report for PCT/US03/06768, mailed Aug. 13, 2003
- 2) Suk et al., *Borrelia burgdorferi* genes selectively expressed in the infected host. Proc. Natl. Acad. Sci. USA May 1995, Vol. 95:4269-4273.
- 3) Lai et al. Identification of genes induced in vivo during *Klebsiella pneumoniae* CG43 infection. Infection and Immunity. Nov. 2001. Vol. 69 (11), p. 7140-7145.

Respectfully submitted,

Date: 8-22-03

by:



Lisa M.W. Hillman

Reg. No. 43,673

FORM PTO-1449
(Rev. 2-32)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

Serial No.

00-505-I

10/092,234

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

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Applicant:

Progulske-Fox, et al.

Filing Date:

March 6, 2002

Group:

1653



U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate

FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Sub Class	Translation Yes/No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

1.	PCT International Search Report for PCT/US03/06768, mailed Aug. 13, 2003
2.	Suk et al., <i>Borrelia burgdorferi</i> genes selectively expressed in the infected host. <i>Proc. Natl. Acad. Sci. USA</i> May 1995, Vol. 95:4269-4273.
3.	Lai et al. Identification of genes induced in vivo during <i>Klebsiella pneumoniae</i> CG43 infection. <i>Infection and Immunity</i> . Nov. 2001. Vol. 69 (11), p. 7140-7145.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.



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Examiner: To be Assigned

Group Art Unit: 1653

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

1. We are transmitting herewith the attached papers for the above-identified patent application:

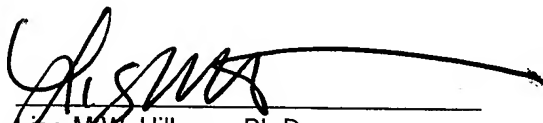
- ☒ Transmittal letter (in duplicate)
- ☒ Second Supplemental Information Disclosure Statement
- ☒ Information Disclosure Statement (IDS) PTO-1449 Form
- ☒ Copies of IDS References (Total 3 References)
- ☒ Return Receipt Postcard

2. **GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES:** Please charge any additional fees or credit overpayment to Deposit Account No. **13-2490**. A duplicate copy of this sheet is enclosed.

3. **CERTIFICATE OF MAILING UNDER 37 CFR §1.8:** The undersigned hereby certifies that this Transmittal Letter and the paper described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 22, 2003.

Dated: **August 22, 2003**

By:


Lisa M.W. Hillman, Ph.D
Reg. No. 43,673